

***In the Senate of the United States,***

*December 6, 2018.*

*Resolved*, That the bill from the House of Representatives (H.R. 2454) entitled “An Act to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Department of Home-*  
3 *land Security Data Framework Act of 2018”.*

4 ***SEC. 2. DEPARTMENT OF HOMELAND SECURITY DATA***  
5 ***FRAMEWORK.***

6 *(a) IN GENERAL.—*

7 *(1) DEVELOPMENT.—The Secretary of Homeland*  
8 *Security shall develop a data framework to integrate*  
9 *existing Department of Homeland Security datasets*

1 *and systems, as appropriate, for access by authorized*  
2 *personnel in a manner consistent with relevant legal*  
3 *authorities and privacy, civil rights, and civil lib-*  
4 *erties policies and protections.*

5 (2) *REQUIREMENTS.—In developing the frame-*  
6 *work required under paragraph (1), the Secretary of*  
7 *Homeland Security shall ensure, in accordance with*  
8 *all applicable statutory and regulatory requirements,*  
9 *the following information is included:*

10 (A) *All information acquired, held, or ob-*  
11 *tained by an office or component of the Depart-*  
12 *ment of Homeland Security that falls within the*  
13 *scope of the information sharing environment,*  
14 *including homeland security information, ter-*  
15 *rorism information, weapons of mass destruction*  
16 *information, and national intelligence.*

17 (B) *Any information or intelligence rel-*  
18 *evant to priority mission needs and capability*  
19 *requirements of the homeland security enterprise,*  
20 *as determined appropriate by the Secretary.*

21 (b) *DATA FRAMEWORK ACCESS.—*

22 (1) *IN GENERAL.—The Secretary of Homeland*  
23 *Security shall ensure that the data framework re-*  
24 *quired under this section is accessible to employees of*

1 *the Department of Homeland Security who the Sec-*  
2 *retary determines—*

3 *(A) have an appropriate security clearance;*

4 *(B) are assigned to perform a function that*  
5 *requires access to information in such frame-*  
6 *work; and*

7 *(C) are trained in applicable standards for*  
8 *safeguarding and using such information.*

9 *(2) GUIDANCE.—The Secretary of Homeland Se-*  
10 *curity shall—*

11 *(A) issue guidance for Department of*  
12 *Homeland Security employees authorized to ac-*  
13 *cess and contribute to the data framework pursu-*  
14 *ant to paragraph (1); and*

15 *(B) ensure that such guidance enforces a*  
16 *duty to share between offices and components of*  
17 *the Department when accessing or contributing*  
18 *to such framework for mission needs.*

19 *(3) EFFICIENCY.—The Secretary of Homeland*  
20 *Security shall promulgate data standards and in-*  
21 *struct components of the Department of Homeland*  
22 *Security to make available information through the*  
23 *data framework required under this section in a ma-*  
24 *chine-readable standard format, to the greatest extent*  
25 *practicable.*

1       (c) *EXCLUSION OF INFORMATION.*—*The Secretary of*  
2 *Homeland Security may exclude information from the data*  
3 *framework required under this section if the Secretary de-*  
4 *termines inclusion of such information may—*

5           (1) *jeopardize the protection of sources, methods,*  
6 *or activities;*

7           (2) *compromise a criminal or national security*  
8 *investigation;*

9           (3) *be inconsistent with other Federal laws or*  
10 *regulations; or*

11           (4) *be duplicative or not serve an operational*  
12 *purpose if included in such framework.*

13       (d) *SAFEGUARDS.*—*The Secretary of Homeland Secu-*  
14 *rity shall incorporate into the data framework required*  
15 *under this section systems capabilities for auditing and en-*  
16 *sureing the security of information included in such frame-*  
17 *work. Such capabilities shall include the following:*

18           (1) *Mechanisms for identifying insider threats.*

19           (2) *Mechanisms for identifying security risks.*

20           (3) *Safeguards for privacy, civil rights, and civil*  
21 *liberties.*

22       (e) *DEADLINE FOR IMPLEMENTATION.*—*Not later than*  
23 *2 years after the date of enactment of this Act, the Secretary*  
24 *of Homeland Security shall ensure the data framework re-*  
25 *quired under this section has the ability to include appro-*

1 *priate information in existence within the Department of*  
2 *Homeland Security to meet the critical mission operations*  
3 *of the Department of Homeland Security.*

4 (f) *NOTICE TO CONGRESS.—*

5 (1) *STATUS UPDATES.—The Secretary of Home-*  
6 *land Security shall submit to the appropriate con-*  
7 *gressional committees regular updates on the status of*  
8 *the data framework until the framework is fully oper-*  
9 *ational.*

10 (2) *OPERATIONAL NOTIFICATION.—Not later*  
11 *than 60 days after the date on which the data frame-*  
12 *work required under this section is fully operational,*  
13 *the Secretary of Homeland Security shall provide no-*  
14 *tice to the appropriate congressional committees that*  
15 *the data framework is fully operational.*

16 (3) *VALUE ADDED.—The Secretary of Homeland*  
17 *Security shall annually brief Congress on component*  
18 *use of the data framework required under this section*  
19 *to support operations that disrupt terrorist activities*  
20 *and incidents in the homeland.*

21 (g) *DEFINITIONS.—In this section:*

22 (1) *APPROPRIATE CONGRESSIONAL COMMITTEE;*  
23 *HOMELAND.—The terms “appropriate congressional*  
24 *committee” and “homeland” have the meaning given*

1     *those terms in section 2 of the Homeland Security Act*  
2     *of 2002 (6 U.S.C. 101).*

3             (2) *HOMELAND SECURITY INFORMATION.—The*  
4     *term “homeland security information” has the mean-*  
5     *ing given such term in section 892 of the Homeland*  
6     *Security Act of 2002 (6 U.S.C. 482).*

7             (3) *NATIONAL INTELLIGENCE.—The term “na-*  
8     *tional intelligence” has the meaning given such term*  
9     *in section 3(5) of the National Security Act of 1947*  
10    *(50 U.S.C. 3003(5)).*

11            (4) *TERRORISM INFORMATION.—The term “ter-*  
12    *rorism information” has the meaning given such term*  
13    *in section 1016 of the Intelligence Reform and Ter-*  
14    *rorism Prevention Act of 2004 (6 U.S.C. 485).*

Attest:

*Secretary.*



115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H.R. 2454**

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**AMENDMENT**